

REMARKS

Claims 1-24 and 32-37 are now pending in the application. Claims 1-24 and 32-37 stand rejected. The Applicants submit that the claims as pending prior to this paper are in condition for allowance. Thus, the Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein. Also, the claims are presently amended to further clarify the presently pending claims for consideration. The Applicants submit that the present amendments to the claims clarify the various elements of the claims and are in line with the Applicants' previous arguments and amendments.

REJECTION UNDER 35 U.S.C. § 102

Claims 1-24 and 32-37 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Shiraishi et al. (U.S. Pat. No. 5,156,053, hereinafter "Shiraishi"). This rejection is respectfully traversed.

At the outset, Applicants note independent claim 1 has been amended to recite:

a movable chuck operably movable relative to a fixed chuck in an arcuate and/or angle path to apply a load to the selected test component and according to a selected characteristic, the movable chuck operable to be coupled to the selected test component;

Independent claim 12 recites:

a bending module connected to the selected test component and operable to bend the selected test component;

* * *

wherein at least one of said control module, and said bending module, or combinations thereof are operable to determine when a crack occurs in the selected component.

Independent claim 32 recites:

a first member operable to fixedly hold the test component;

a second member operable to move a portion of the test component relative to the first member, the second member connected to the test component;

Applicants respectfully submit that at least these features and/or elements as claimed are not taught or suggested by Shiraishi whatsoever. Therefore, Shiraishi cannot anticipate these claims, or the claims that depend therefrom.

At best, Shiraishi appears to disclose a pressing robot 12 for applying a point load with a pressing rod to a plastic molded article (see at least column 4, lines 7 through 10 and lines 60-63). Applicants further note it is an object of Shiraishi to “measure displacement, distortion, and stress of a plastic molded article” (see at least column 2, lines 38-40). Shiraishi does not disclose whatsoever the chuck movable in an arcuate and/or angle path to apply a load to the selected test component or to be coupled to the selected test component; rather, Shiraishi appears to disclose only the application of a vertical point load to a plastic molded object. In addition, Shiraishi fails to teach or suggest whatsoever the determination of when a crack occurs in a selected component. Shiraishi also fails to disclose a second member coupled to the test component and operable to move a portion of a test component relative to a first member, as Shiraishi discloses only the application of a point load. Accordingly, as Shiraishi fails to teach or suggest each element of claims 1, 12 and 32 as claimed, Applicants respectfully assert independent claims 1, 12 and 32 are patentable and in condition for allowance. In addition, as claims 2-11, 13-24 and 33-37 depend from either independent claim 1, 12 or 32, Applicants respectfully submit these claims are

also patentable and in condition for allowance. Reconsideration and withdrawal of this rejection are respectfully requested.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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